

In the Supreme Court of the State of Alaska

Richard Green, on behalf of Un-named Children 1-4, and Richard Green

Appellant,

v.

Phoung Hoang Dinh, State of Alaska, Department of Health & Social Services, Office of Children's Services and Office of Public Advocacy,

Appellees.

Richard Green,

Appellant,

v.

Phoung Hoang Dinh,

Appellee.

Supreme Court Nos. **S-18080/18149**

Order

Date of Order: **September 15, 2021**

Trial Court Case Nos. **3PA-20-00594/595/596/597/598CI**

On August 30, 2021 Richard Green filed a motion regarding the compiled record for this consolidated appeal, objecting specifically to the way in which the record was scanned into digital format and to allegedly missing documents.

IT IS ORDERED:

The motion is **DENIED** for the following reasons:

The Palmer Clerk's Office transferred the trial court record to the Appellate Court Records Office. The Appellate Court Records Office then scans the trial court record into a digital format in the same way the physical volumes of record were

organized by the trial court. Records on appeal before the supreme court are not chronologically organized by the Appellate Court Records Office prior to scanning, and the record on appeal in this case was not treated any differently. In fact the digital record provided to Mr. Green is the same digital record provided to the justices' chambers for their consideration of this consolidated appeal. It is incumbent upon Mr. Green to prepare and organize an excerpt of record into chronological order to accompany his opening brief. Instructions for preparing a brief and excerpt of record were sent to Mr. Green on July 16, 2021. Mr. Green may inquire with the Clerk's Office if he needs to be provided those instructions again.

Mr. Green cites page 241 of the record on appeal as an example where documents are allegedly missing from the trial court record. Mr. Green is correct that the remaining pages of his March 15, 2021 ex parte motion for a temporary emergency jurisdiction restraining order (pages 2 thru 17) are not in the record on appeal that was provided to the parties; but these "missing" pages are not actually part of the trial court record. Looking at page 240 of the record on appeal, the Palmer Clerk's Office issued a notice of deficiency on March 17, 2021, returning the ex parte motion to Mr. Green, which means the motion was not accepted for filing and is therefore not part of the trial court record. Absent some basis to conclude that there are "missing" documents in the digital record, no relief is warranted. Mr. Green is directed to Appellate Rule 210 regarding the record for an appeal.

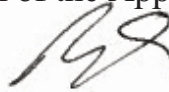
If Mr. Green requires additional time to prepare his opening brief and excerpt of record, he may file a notice of routine extension of time to file his brief under Appellate Rule 503(b). If Mr. Green needs additional time after the 30 days of extension

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he would be granted by filing a notice under Appellate Rule 503(b), he may file motions for extension of time to file his brief under Appellate Rules 503(c)(1) and (2).

Entered at the direction of an individual justice.

Clerk of the Appellate Courts



Ryan Montgomery-Sythe,
Chief Deputy Clerk

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